

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION -FLINT

UNITED STATES OF AMERICA,

Plaintiff,

CASE NO.: 2:99-CR-81178-24

vs.

HON. BERNARD A. FRIEDMAN
MAG. JUDGE STEVEN D. PEPE

LORENZO VARNER,

Defendant.

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ORDER OF DETENTION
PENDING REVOCATION PROCEEDINGS

The Defendant appeared before the Court on September 4, 2007, based upon a Petition and Warrant for violation of her conditions of supervised release, filed on September 24, 2004.

The Defendant is charged with violation of Standard Condition Number 2 by failing to report to his probation officer since July 13, 2004, and for failure to submit his monthly report for July, 2004. Violation of Standard Condition by failing to register as a sex offender upon his release from state custody on May 24, 2004; Violation of Special Condition Number 4 by failing to abide by the State of Michigan sex offender policies by not registering as a sex offender.

The report of the Probation Officer in this matter indicates that the Defendant began her term of supervised release on May 24, 2004.

On September 24, 2004, the Court issued a warrant for a Supervised Release Violation. The defendant was arrested on September 3, 2007, and appeared before the undersigned on September 24, 2007. The defendant's attorney, David Koelzer, moved for the release of the defendant on bond on the basis that the defendant has ties to this community, that he is currently employed, and the he has a 19 year old son. The government in their opposition to the request for bond note that the

defendant has not reported to the probation officer for over 3 years, and that he had ample opportunity to notify the probation officer of his whereabouts but failed to do so.

I find that based on the submissions and arguments Defendant has failed to demonstrate by clear and convincing evidence, as is his burden under Fed. R. Crim. P. 32.1(a)(6) and 18 U.S.C. Sec 3143(a) for a person facing a supervised release violation, that he is not likely to flee if released pending a hearing on the supervised release violation revocation hearing.

Accordingly, the Defendant shall be detained without bond in this matter pending further proceedings before the district court judge.

The Defendant is hereby remanded to the custody of the United States Marshal.

IT IS SO ORDERED.

DATED: October 5, 2007

s/ Steven D. Pepe
Steven D. Pepe
United States Magistrate Judge

CERTIFICATE OF SERVICE

I hereby certify that on October 5, 2007, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send such notification of such filing to the following: Nancy A. Abraham, AUSA, and I hereby certify that I have mailed by United States Postal Service/hand delivered the paper to the following non-ECF participants: David Koelzer, Federal Defender Office, 653 S. Saginaw St., Ste. 105, Flint, MI 48501, United States Marshal, 600 Church St., Flint, Michigan 48502, Probation Officer, 600 Church St., Flint, Michigan 48502

s/ James P. Peltier
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